

**REPORT OF Strategic Manager (Resources)**

**To: Community and Resources Committee**

**Subject: Avon Lane Westward Ho! Community Transfer**

**Date: 20<sup>th</sup> January 2020**

**Reference:**

**PURPOSE OF REPORT:** To consider the transfer of the freehold interest of the park and associated property to Northam Town Council

### **Background**

In accordance with the Committee and Resources Resolution of the 4<sup>th</sup> March 2019 as endorsed by TDC's Internal Overview and Scrutiny Committee on the 9<sup>th</sup> July 2019, that the Asset Transfer Application by Northam Town Council is revisited and the development proposal is not progressed.

In order to progress this, the process will be managed in accordance with the Councils Community Transfer Protocol.

### **Report**

Subject to this decision, Northam Town Council have prepared a Business Plan for the 'Park' with the overriding principle that its purpose will remain as a community facility, although recognising that investment will be needed to continue with this use

As part of the process the Property and Procurement team have obtained an updated report on the sites Existing Use Value, which positions that value at £150,000, based on the asset being a park and public open space with ancillary accommodation only.

However, as with previous asset transfers where transfers have been completed at 2/3rds value it is proposed that the freehold interest is transferred for £100,000.

This 2/3rds of the Valuation figure, which would be appropriate in Community Transfer procedures based on previous Committee Decisions of a 33% discount for Social Reasons (General Disposal Consent provisions).

Subject to legal advice, restrictive covenants which will limit the use to public open space and amenity use, will be imposed on the freehold interest going forward



The asset would be passed over to the Town Council, all ongoing maintenance and management would therefore be their responsibility and the costs and implications for this would be removed from TDC's responsibility.

TDC will receive a capital receipt..

The proposal was presented to Members at the Property and Major Projects Working Group on 16 January 2020 where Members supported the proposal and that it should be reported to the next Community & Resources Committee for their consideration.

In the event that Community and Resources Committee approve the recommendation, the site will first need to be advertised as a 'asset of community value' (as required by legislation) for a period of 6 weeks. This is in order to give an opportunity for any other community groups and or charitable bodies a chance to also submit an expression of interest should they also wish to obtain the site.

## **Conclusions**

That given the long running debate applicable to this site, progressing now to the stage of potential disposal is considered a positive conclusion.

## **IMPLICATIONS**

### Legal Implications

Conveyancing to dispose of freehold

### Financial Implications

Capital Receipt of £100k and no further running costs.

Equipment at end of life, TDC avoid additional replacement costs

### Human Resources Implications

No further management responsibility for Property Team

### Sustainability/Biodiversity Implications

n/a

### Equality/Diversity

n/a

### Risk Management

No further risks of ongoing maintenance works and management responsibility

### Compliance with Policies and Strategies

### Data Protection (GDPR) Implications

n/a

### Ward Member and Lead Member

Both Ward Member and Lead Member have been consulted during the process and were present at the Property and Major Projects Working Group where this item was discussed and recommendations put forward to present this report to Community and Resources Committee.



## **RECOMMENDATION**

That Members support the proposal to dispose of the freehold interest to Northam Town Council for the Financial Capital Receipt of £100,000.00 exclusive of costs. This is subject to the inclusion of restrictive covenants as detailed in the report.

The decision is also conditional on there being no further expressions of interest received during the period of advertising. Should any expressions of interest be received then this will need to be reported back to Community and Resources Committee to consider alongside that of Northam Town Council.

